BOMBAY ACT No. III OF 1865[a].

(The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 31st July, 1865.)

An Act to amend Act XXI of 1848[b] (*for avoiding Wagers*).

Preamble.

WHEREAS it is expedient, so far as regards the Presidency of Bombay, to amend Act XXI of 1848 [b] (*for avoiding wagers*); It is enacted as follows:—

Contracts declared null and avoid.

1. All contracts, whether by speaking, writing or otherwise, knowingly made to further or assist the entering into, effecting or carrying out agreements by way of gaming or wagering, and all contracts by way of security or guarantee for the performance of such agreements or contracts, shall be null and void;

No suit allowed on such contracts.

and no suit shall be allowed in any Court of Justice for recovering any sum of money paid or payable in respect of any such contract or contracts, or any such agreement or agreements as aforesaid.

Nor for commission or brokerage, etc., in respect of agreements by way of gaming or wagering.

2. No suit shall be allowed in any Court of Justice for recovering any commission, brokerage, fee or reward in respect of the knowingly effecting or carrying out, or of the knowingly aiding in effecting or in carrying out, or otherwise claimed or claimable in respect of, any such agreement by way of gaming or wagering or any such contract as aforesaid, whether the plaintiff in such suit be or be not a party to such last-mentioned agreement or contract, or for recovering any sum of money knowingly paid or payable on account of any persons by way of commission, brokerage, fee or reward in respect of any such agreement by way of gaming or wagering or contract as aforesaid.

Payments for which guardian and personal representative not to be allowed credit.

3. No guardian, executor, administrator, heir or personal representative of any deceased person shall be entitled to or allowed credit in his accounts for or in respect of any payment by him on behalf of such deceased person (or in the case of a guardian, on behalf of any minor), in respect of any such agreement or agreements as are mentioned in section 1 of Act XXI of 1848 [b] or in respect of any such contract or contracts, commission, brokerage, fee or reward, or money paid or payable in respect thereof as are respectively mentioned in the first and second sections of this Act.

4. [*Construction of Act.*] *Repealed by Act XVI of 1895.*

5. [*Number and gender.*] *Repealed by Bombay Act III of 1886.*

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[a] Bom. Act III of 1865 is void so far as it purports to affect the High Court. It has been declared, by notification under the Scheduled Districts Act, 1874, to be in force in the Province of Sindh—see Appendix to Vol. I of this Code, p. xxxiii.

[b] Act XXI of 1848 was repealed by Act IX of 1872, s. 1 (printed, General Acts, 1867-76, Ed. 1887, p. 319), but see the saving in that section.

BOMBAY ACT No. VII OF 1865.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 5th December, 1865.*)

An Act to extend the provisions of Act of the Governor General of India in Council, No. XX of 1863 [a], to the district of Kanára in the Bombay Presidency.

Preamble.

WHEREAS it is expedient to extend the provisions of Act No. XX of 1863 [a] (*An Act to enable the Government to divest itself of the management of religious endowments*) to the district of Kanára in the Bombay Presidency; It is enacted as follows:—

Act XX of 1863 extended to Kanára.

1. The provisions of Act No. XX of 1863 [a] are hereby extended to the district of Kanára in the Bombay Presidency.

Notice of appointment of committee.

2. A notice of the appointment of the committee referred to in section 7 of Act XX of 1863 [a] shall, if posted at the mamlatdar's office, be equivalent to a notification of such appointment in the official Gazette.

Interpretation-clause.

3. The words "Board" and "Board of Revenue," as used throughout Act XX of 1863 [a], shall, for the purposes of this Act, be held to mean the Revenue Commissioner of the division.

BOMBAY ACT No. VIII OF 1865 [b].

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 27th December, 1865.*)

An Act to authorize taxation in the Province of Sindh for objects of public local utility and improvement.

Preamble.

WHEREAS it is expedient to provide funds for local works of public utility and improvement [c]; It is enacted as follows:—

Levy of local cess on lands.

1. It shall be lawful to levy for the purposes of this Act from all lands in the Province of Sindh a cess not exceeding one anna on every rupee

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[a] Printed, General Acts, 1834-66, Ed. 1887, p. 384.

[b] It is enacted in Bom. Act I of 1884, s. 2 (printed in Vol. III of this Code), that this Act may be called "The Sindh Local Funds Act, 1865."

The net proceeds of the cess on land and of the shop-tax levied under Bom. Act VIII of 1865 are to be credited to the Local Fund constituted by Bom. Act I of 1884—see s. 44 of that Act in Vol. III of this Code.

[c] Words repealed by Bom. Act I of 1884 are omitted.